IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1266 OF 2005

Abdul Razzak Salim Inamdar ...Applicant.

V/s

The State of Maharashtra
(Shivaji Park Police Station) ...Respondent.

Mrs. Razia Shaikh for the applicant.
Mr. A.S. Shitole for the State.

CORAM: V.M.KANADE,J.
DATE: 23rd March, 2005

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. Applicant is convicted by the Trial Court for an offence punishable under section 392 read with section 397 of the Indian Penal Code and is sentenced to suffer R.I. for seven years.

3. Prosecution case is that the applicant along with others entered a shop of ready-made garments and committed dacoity by pointing out lethal weapons. Prosecution case is that one of the accused was carrying a revolver.

4. The learned Counsel for the applicant submits that the applicant was arrested after 9 months and the only

evidence against him is the identification by the complainant in a test identification parade. He further submitted that there was a delay of 20 days in holding the identification parade.

5. The learned APP for the State submitted that the applicant is a history-sheeter and is involved in five similar offences which are registered at various Police Stations in the City of Mumbai as also in the City of Pune and Ahmednagar. Considering the antecedents of the applicant, this is not a fit case for grant of bail. Application for bail is rejected. Hearing of the appeal is expedited. Applicant is at liberty to apply for fixed date of hearing after the paper-book is ready.

V.M. KANADE, J.